

## REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on October 19, 2005, the Examiner rejected claims 1-16 and 18-23 under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,295,064 to Malec (hereinafter Malec) in view of U.S. Pat. No. 5,250,789 to Johnsen (hereinafter Johnsen). Applicants respectfully traverse.

### Rejections under 35 U.S.C. § 103 (a)

The prior art references when combined do not teach or suggest all the claim limitations recited in the independent claims of the present invention. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Claim 1 includes the limitation, “**wherein the information includes product specific promotions**”. Support for this limitation can be found in the summary portion of the specification, Page 4, Lines 8-11. Product specific promotions include alphanumeric information such as a product name, product price, graphical product representation, animated promotions, etc.

The “Trigger Transmitters” taught in Malec transmit simple positional information which is used to **trigger** promotional information stored on the cart-mounted electronics. Malec, Column 8, Lines 52-56. By explicitly storing all promotional information on the cart-mounted electronics, Malec clearly teaches away from the transmission of promotional product specific from the transceiver units.

The Johansen device comprises a display, a keyboard, a disk drive, and a product code scanner. The device stores advertising materials and displays advertising promotions or coupons **in response to products being scanned** when the shopper deposits them into a cart. Johansen, Column 4, Line 52- Column 5, Line 13; Column 6, Lines 42-45. By storing the promotional

information on the cart mounted electronics and displaying the information only when products are scanned into the cart, Johansen teaches away from the transmission of promotional product specific information from the transceiver units. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn.

In the Office Action, the Examiner rejected claim 17 under 35 U.S.C. 103(a) as being unpatentable over Malec in view of MacIntyer.

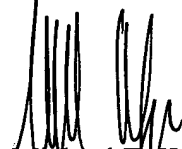
Claims 2-23 are dependent from claim 1 and are therefore allowable for at least the same reasons stated above.

### CONCLUSION

Applicants submit that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicants request favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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